PTO/SB/17 (07-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	

Complete if Known

Application Number	10/785,227
Filing Date	2/25/04
First Named Inventor	Adams
Examiner Name	Belani
Art Unit	2443
Attorney Docket No.	YOR920040028US1

RECEIVED
CENTRAL FAX CENTER
JAN 09 2009

METHOD OF PAYMENT (check all that apply)

☑ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 50-0510 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☑ Charge fee(s) indicated below

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee

☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card Information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	Fee ($)	Small Entity Fee ($)	Fee ($)	Small Entity Fee ($)	Fee ($)	Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0		0	0	_____

2. EXCESS CLAIM FEES

Fee Description

	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 20 or HP =	_____	x _____ =	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 3 or HP =	_____	x _____ =	_____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number) x	_____ =	_____

4. OTHER FEE(S)

Non-English Specification, $130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid ($) _____

(handwritten across form: Appeal Brief)

SUBMITTED BY

Signature	Frederick Cooprider	Registration No. (Attorney/Agent) 36,769	Telephone 703 761-2527
Name (Print/Type)	Fred Cooprider		Date 01/09/09

Appellants' Brief on Appeal
S/N 10/785,227
Docket: YOR920040028US1 (YOR.511)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Samuel S. Adams et al.

Serial No.: 10/785,227   Group Art Unit: 2443

Filed: February 25, 2004   Examiner: K. G. Belani

For: METHOD AND STRUCTURE FOR AUTOMATED LAYOUT
        DIRECTOR

Commissioner of Patents
Alexandria, VA 22313-1450

APPELLANTS' BRIEF ON APPEAL

Sir:

Appellants respectfully appeal the rejection of claims 1-15 in the Office Action
mailed on July 2, 2008.

I.   REAL PARTY IN INTEREST

The real party in interest is International Business Machines Corporation, assignee
of 100% interest of the above-referenced patent application.

II.   RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal
representative or Assignee which would directly affect or be directly affected by or have a
bearing on the Board's decision in this appeal.

Docket YOR920040028US1(YOR.511)

1

Appellants' Brief on Appeal
S/N: 10/785,227

III.   STATUS OF CLAIMS

Claim 15 stands rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Claim 14 stands rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,953,050 to Kamata et al. Claims 1, 2, and 15 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over US Patent Application Publication No. 2004/0162877 to Van Dok et al, further in view of US Patent Application Publication No. 2004/0161090 to Digate et al. Claims 3-7, 9, and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Van Dok/Digate, further yet in view of Kamata. Claims 8 and 11 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Van Dok/Digate, further yet in view of US Patent No. 6,018,346. Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Kamata, further in view of Digate.

Appellants respectfully appeal all of these rejections identified above.

IV.   STATUS OF AMENDMENTS

The Examiner refused entry of the after-final Amendment filed on August 18, 2008, as allegedly raising a new issue even though the amendment merely incorporated contents of an existing dependent claim into independent claims.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

Bases in the specification for the independent claims:

1. (Rejected) A method of providing a composite data feed for an online meeting (see Figures 3, 6, and 8-11; lines 12-15 of page 7), said method comprising at least one of:

providing a capability (Figs. 2, 5, 6) for at least one participant node in said online meeting to input a layout rule for a customized composite image of said online meeting to be seen specifically at said at least one participant node (step 702 of Figure 7; lines 19-23 of page 7, lines 9-12 of page 8, lines 16-17 of page 16); and

Docket YOR920040028US1 (YOR.511)

2

Appellants' Brief on Appeal
S/N: 10/785,227

receiving a layout rule defining a composite image of said online meeting that can be customized for at least one participant node in said online meeting (step 703 of Figure 7; lines 19-23 of page 7, lines 9-12 of page 8).

2. (Rejected) The method of claim 1, wherein said layout rule comprises a Boolean combination of conditions (see Figure 8-11, wherein resultant sizes, locations, constitute application of various Boolean combinations; lines 1-7 of page 14, lines 5-11 of page 20, lines 12-19 of page 21, lines 15-21 of page 22).

3. (Rejected) The method of claim 1, further comprising:

receiving data feeds from a plurality of nodes included in said online meeting (step 703 of Figure 7); and

calculating a composite data feed image for said at least one participant node, said composite data feed image complying with said layout rule (steps 704-707 of Figure 7; lines 9-12 of page 8, lines 16-17 of page 16).

4. (Rejected) The method of claim 1, wherein said layout rule specifies at least one of (see Figures 8-11 for examples):

a size of a display pane in said composite image of a given feed involved in said online meeting (lines 16-17 of page 14);

a relative size of said display pane of said given feed (lines 9-12 of page 8, lines 16-17 of page 14);

a position of said display pane of said given feed (lines 9-12 of page 8, lines 18-21 of page 14);

a relative position of said display pane of said given feed (lines 9-12 of page 8, lines 18-21 of page 14);

whether said given feed is included in said composite image (lines 12-17 of page 11, lines 17-20 of page 15);

how frequently said layout rule is to be checked for updates (lines 13-14 of page 8, lines 3-5 of page 15);

Docket YOR920040028US1 (YOR.511)

3

Appellants' Brief on Appeal
S/N: 10/785,227

how aggressively (lines 14-16 of page 8) a layout specification of said layout rule
should be executed in terms of a range of whether said composite image includes only
moderately different sized displays or only one maximally large display with all other
displays being maximally small;

a status of an owner of said given feed (lines 1-2 of page 8, line 4 and lines 14-15
of page 14, lines 6-7 of page 15); and

a type of said given feed (line 2 of page 8).

5. (Rejected) The method of claim 1, further comprising:

transmitting (step 707, Fig. 7, 209 of Figs 2 and 4, 1234 of Fig 12, lines 1-2 of page
17) said composite data feed image for display on a display device (1238 of Fig 12, lines
10-11 of page 19).

6. (Rejected) The method of claim 3, wherein said calculating is accomplished at a server
remote from said at least one participant node (102, 103 of Fig 1, line 8 of page 10 through
line 17 of page 12).

7. (Rejected) The method of claim 3, wherein said calculating is accomplished at one of
said at least one participant node's location (lines 20-22 of page 24).

8. (Rejected) The method of claim 1, wherein said receiving said layout rule is
periodically checked so that said at least one participant node is able to revise (lines 20-22
of page 3, lines 13-14 of page 12) said layout rule until one of:

said at least one participant node exits said online meeting (line 5 and lines 12–13
of page 12, lines 1-2 of page 19); and

said online meeting terminates (lines 1-2 and 18-21 of page 19).

Docket YOR920040028US1 (YOR.511)

4

Appellants' Brief on Appeal
S/N: 10/785,227

9. (Rejected) The method of claim 3, wherein said calculating the data feed includes at least one of:

an amount of audio activity, including a number of different speakers (lines 2-4 of page 8); and

a level of video activity, including at least one of an amount of overall movement and a number of moving figures (lines 2-8 of page 8, lines 8-12 of page 14).

10. (Rejected) The method of claim 3, said method further having at least one of the following capabilities:

said receiving of data feeds is from one or more distinct network types (lines 12-14 of page 9);

at least one node in said online meeting can serve as a data feed source (lines 10-13 of page 18);

said at least one participant node is able to specify a personal weighting preference to be used in said calculating (lines 16-17 of page 14);

a display for at least one input feed does not change (104 of Fig 1, lines 18-22 of page 9);

said at least one participant node is able to change said layout rules during a given online meeting (line 1 of page 19);

said at least one participant node is able to have at least some rules in said layout